



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/793,502	03/20/97	MANNINGS	R 36-1001

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PM51/0115

EXAMINER

BLUM, T.

ART UNIT

PAPER NUMBER

3662

DATE MAILED:

01/15/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/793502

Applicant(s)

MANNINGS ET AL

Examiner

T. BLUM

Group Art Unit

3662

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 12-4-98
- ☒ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1, 3-17, 19-32, 34-46, 49-52 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1, 3-17, 19-32, 34-46, 49-52 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Serial Number 08/793502

Art Unit 3662

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1, 3-17, 19-32, 34-46, and 49-52, are rejected under 35 U.S.C. 102(e) as being anticipated by Penzias.

Penzias teaches the claimed navigation information system method and structure including: mobile unit (193 in Figure 2), "fixed part" (110 and 118, both in Figure 1), transmitting to the "fixed part" a request for guidance information (column 1, line 38 to column 2, line 19), means for determining the location of a mobile unit (GPS receiver 163, shown in Figure 2, column 3, lines 9-12), means (110 and 118, both in figure 1) for generating guidance information according to the present location and specifies destination of the mobile unit, and means (101 and radio link, both in Figure 1) for transmitting guidance information. Penzias further teaches: means (110 in Figure 1, computer 202) for determining the location of the mobile part in relation to a geographical overlay (111, 113 and 119, all in figure 1), information (115 and 118) "associated" with an overlay area, and means (101 and

radio link) for transmitting information “associated” with an overlay area which includes the location of the mobile part, to the vehicle (mobile part) 193. Router server 111 receives road map data from 113 and 119, and the vehicle location from the vehicle tracking server 117 to provide “traffic flow conditions” (column 2, line 60 to column 3, line 18) or “geographical overlay” as claimed. The “geographical overlay” is the correlation of the road map data and the vehicle location in router server 111 to provide “traffic flow conditions”. Note that the routing unit computer 202 and vehicle computer 204 both have a display 309.

3. Claims 1, 3-17, 19-32, 34-46, and 49-52, are rejected under 35

U.S.C. 102(e) as being anticipated by Behr et al.

Behr et al teaches the claimed navigation information system method and structure including mobile unit (14, column 8, lines 19 and 20), “fixed part” (12), transmitting to the “fixed part” a request for guidance information (Abstract), means for determining the location of a mobile unit (GPS receiver 42, column 1, lines 32-37, column 6, lines 63+), means (12) for generating guidance information according to the present location and specifies destination of the mobile unit, and means (38, 74, and 76) for transmitting guidance information. Behr further teaches: means (66, 68, and 70) for determining the location of the mobile part in relation to a

geographical overlay (72), information (80 and 82, column 9 lines 47-55) “associated” with an overlay area, and means (36, 38, 62, and 74-77) for transmitting information “associated” with an overlay area which includes the location of the mobile part, to the mobile part 14. Elements 66, 68, and 70, receive map data from map data base 72, and the mobile unit location from 36, 38, and 74-77, to provide guidance information (column 16, lines 32-38) or “geographical overlay” as claimed. The “geographical overlay” is the correlation of the map data and the mobile unit location. Note display means 46 and 88.

4. The Information Disclosure Statement filed December 4, 1998 has not been considered since a copy of the cited references has not been received.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication should be directed to Theodore Blum at telephone number (703) 305-1833.

Theodore M. Blum
THEODORE M. BLUM
EXAMINER
GROUP ART UNIT 3662